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INSPECTOR GENERAL
76-2925

Executive Registry
76-3418

9 SEP 1976

MEMORANDUM FOR: Assistant to the Director - Review Staff

SUBJECT : Understanding the Agency

Seymour -

1. As the dust settles from the investigations certain thoughts of mine have crystalized concerning attitudes on the part of the Senate investigators that were never corrected. Unfortunately these probably affect the way in which legislative proposals will be advanced and the justifications advanced in support of them. Because I have a high personal regard for the integrity and basic professionalism of many of the old SSC staff, some of whom continue with the new oversight committee, I feel it worth addressing what seems to me to be misconceptions they hold. With the emotional pressures of the investigations over they may be more amenable to a broader view than they adopted during the investigations. If my understanding of your responsibilities is correct you would be the proper person to take initiatives in this area in developing a proper Agency posture.

2. While the "rogue elephant" characterization was, in essence, withdrawn in the final SSC report the initial impression was allowed to stand. As you know, in the tussle on the HAIK paper, one member of the SSC staff still tried to make the case there in spite of evidence to the contrary. Unfortunately, we live in an age in which doctrine takes the place of fact and ideologues tend to argue from conviction instead of proof; even with people of high quality, as the oversight staff, this sociological phenomenon creates a communication problem for us. Additionally in trying to modify some of their preconceptions we face the obstacle of their fear of being "co-opted." They may have a problem in adjusting their views and seeing facts as they are, because in some way to do so would violate an earlier intellectual commitment.

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3. I would like to list below just a few examples of attitudes that should be addressed:

a. Anne Karalekas, in her history, fell into one of the errors observed throughout the investigation. There is no distinction between problems that once existed in a new Agency, and the solution of them. The past often seems to be treated as though it is a part of the present, the environment within which the past activities occurred receiving short shrift. The Karalekas history does not seem to recognize the evolutionary character of CIA, which any perceptive evaluation would have seen as a dramatic demonstration of bureaucratic responsibility, as Agency managers and employees built an unusually effective and controlled organization. The maturing of responsible command, direction and control was an important message to be given in describing what the investigators saw in 1975. It only further skewed the findings when the Karalekas history sees the DDO as dominating the Agency. The DDI, the DDA, and later the DDS&T did very much their own thing and all of them had influence on the others. The DDO was involved in some of the more dramatic things during the dramatic period of the cold war, but that is not the same thing as the view set out in the Karalekas history.

b. Elliot Maxwell, in writing about the Inspector General, did not point out that practically all of the investigative leads pursued by the investigators (other than the big CA projects) came from the files of the Office of the Inspector General. The SSC report was inclined to treat the past as though all of it was in the present, rather than being a limited number of questionable activities addressed and handled over a period of time. As an example of the attitude, the Maxwell draft report asserted that the Inspector General had tolerated "many" illegal activities; when challenged he could only cite two instances in which there may have been a basis for the characterization and removed the word "many." As with Elliot Maxwell, many of the investigators had never lived in a complex organization

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and had difficulty wrapping their minds around the workings of a complex organization such as CIA, in which a reviewing authority such as the Inspector General does not have (as it should not have) final say on what should and what should not be done. The failure to understand the imperatives of command in an organization such as CIA, and an unreadiness to credit the contribution of the Inspector General in his internal policing function left the Maxwell portion of the report somewhat one-dimensional, both in tone and in the depth of analysis.

c. Even the SSC report on assassination is skewed. We can speculate that the committee had difficulty speaking with full candor because presidents of both parties were responsible for the policies from which the so-called assassination plotting stemmed. It was easier to treat the series of operations as separate indications of immoral conduct by Agency employees than it was to address the question of whether or not a president should decide that he wanted a foreign government replaced, along with its leaders. The moral statement of opposition to assassination is hard to take issue with, although most people add the qualifier "except in time of war." But the statutory provision leaves something to be desired in terms of the problem being treated. Politically this was difficult for the SSC to face and intellectually was beyond their power in the environment that they created. Members of the SSC have expressed the private view that the heavy investment of manpower for the extended period of time seriously impaired the more general aspects of the investigation that should have been undertaken. Certainly, in missing the basic issue in the so-called assassination plots, with all the alarums sounded for the press, did not help ready SSC staff members for the main task they had to do.

d. One recommendation, as an example, requires that CIA stop giving "support" to foreign liaison services guilty of "systemic violation of human rights." As stated, the recommendation applies only to CIA, although both AID and the U.S. military services have relations with many of

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these foreign instrumentalities as well. And in any event, the relationships with these foreign organizations is only one part of a larger U.S. relationship, in which the Department of State deals in diplomatic niceties with repressive governments. It is also noted that CIA has a traditional policy that there should be "net advantage" in its liaison relationships, which complicates interpretation of the word "support" in the SSC recommendation. Additionally, one might raise the question as to the extent to which such a provision invades the constitutional authority of the president to conduct foreign policy.

4. There continues to be argument as to whether or not CIA was authorized in 1947 to engage in espionage. The Karalekas history views this from a lay historian's point of view rather than in terms of the policy development and legislative history of the Act. There also is a clear trail in the legislative history of the 1949 Act making it apparent that Covert Action, as we now call it, was a considered justification for the special authorities granted to CIA at that time; it was only by virtue of legislative procedure that the 1949 Act was not passed in 1948 on the heels of the 1947 Act. These points of original authorization, expanding upon some of the legalistic views offered by the General Counsel, would be well worth organizing into one piece of paper. It would be useful if [redacted] who has written in this field, be asked to develop this aspect for an article in "Studies in Intelligence." Such a study, receiving the distribution of the publication, would inform a large number of Agency employees on something they really don't know much about now and, thereby equipping them to speak knowledgeably when the question arises. It would help Agency employees understand the background of what they do, as well as providing a basis for tempering the accusatory attitude of the oversight committee staffers that we have done things we were not authorized, or that were not intended at the time of the founding of CIA.

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5. OLC has been collecting reactions of people to the various SSC recommendations as a staff exercise. That has gone about as far as it can and probably should now become the subject of an Agency working group with representation

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from the various directorates and independent offices. The Agency undoubtedly will have to establish both positions and rationales on various recommendations that will be offered for statutory enactment. It must be in a position to express its reservation about proposals that trespass on the rights of the president to conduct foreign affairs, that are so simplistic on their face that they are not acceptable as a basis for useful legislation, or simply represent bad legislative practice through intrusion into the organization and management of a complex executive agency.

6. To develop a positive Agency posture and attitude, basic issues must be addressed comprehensively. This means some education in our own attitudes. It also means a hard-headed and practical approach to the SSC recommendations as to whether or not they make sense, and what we really think serves the government's interest, as distinguished from simply accepting them because some one in a position of public authority has proposed them. It strikes me that this undertaking is one that you are uniquely qualified to launch and direct between now and the end of the year. It will serve as preparation for the next Administration and what we might anticipate to be a period in which the Senate will undertake its legislative program. Were we prepared with materials similar to that produced by Sam Wilson's group during the investigations, we will be well along the way when we need some organized views and positions.

[redacted] 25X1A

S. D. Breckinridge

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ROUTING AND RECORD SHEET

76-3418

SUBJECT: (Optional)

9 Sept 76

FROM: S. D. Breckinridge	EXTENSION	NO.
		DATE 9 SEP 1976

TO: (Officer designation, room number, and building)	DATE RECEIVED	DATE FORWARDED	OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
1. Assistant to the Director - Review Staff				25X1 More general than organized but things we should do - You're the one for something like this
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